

City of Hampton, VA

22 Lincoln Street
Hampton, VA 23669
www.hampton.gov



Council Agenda

Wednesday, July 19, 2006

7:30 PM

Council Chambers, 8th Floor, City Hall

City Council

*Randall A. Gilliland, Angela Lee Leary, Charles N. Sapp,
Joseph H. Spencer, II, Rhet Tignor, Paige V. Washington,
Ross A. Kearney, II, Mayor*

Staff:

Jesse T. Wallace Jr., City Manager

Cynthia Hudson, City Attorney

Katherine K. Glass, Clerk of Council

Brenda J. Vaccarelli, Deputy Clerk

WELCOME TO THE HAMPTON CITY COUNCIL MEETING

Because of the large number of matters that need consideration, the City Council has established a meeting format and certain guidelines for citizen participation. These help ensure that everyone who wishes to speak can do so, and that the Council can benefit from hearing as many different people as possible in the shortest time. From time to time, It may be in the public's interest to change the format and guidelines, and the Council can do so at its discretion without prior notice.

THE ORDER OF BUSINESS

The Council generally conducts meetings in the following order:

- (1) Call to Order
- (2) Ceremonial Matters
- (3) Consent Agenda
- (4) Regular Business Agenda
- (5) Audiences Granted to the General Public
- (6) Miscellaneous New Business
- (7) Adjournment

Agenda items are taken up one at a time in the order in which they are listed. Matters on the consent agenda are routine and are adopted by one motion without separate discussion. However, items can be moved from the consent agenda to the regular agenda upon request by a citizen or a member of the Council. Keep in mind that the agenda is for the convenience of the public and the Council, and that it can be altered by the Council at any time without prior notice when the Council considers it in the public's interest to do so.

CITIZENS ARE INVITED TO PARTICIPATE

The City Council has adopted a five (5) minute time limit policy for individuals desiring to address issues before this body. If you wish to address the City Council, please sign in before the meeting on the sign-up sheet located in the rear of Council Chambers. Please include your name and the subject on which you wish to speak, including the docket number if it is an item on the agenda. If you wish to address Council on a non-agenda item, the permission of Council is necessary.

If you are with a group of people, you may want to have a spokesman or two present your position to the Council and have others in agreement recognized by standing. The Council will always try to hear everyone who wishes to speak on a subject, but sometimes discussion has to be limited due to time. If the previous speaker has stated your position, you may make that known by reference (for example, "I agree with the position stated by Mr. Jones and have nothing further to add"). Repetition of positions by more than one speaker often uses more time than necessary.

Speakers are generally limited to one appearance, although Council can allow exceptions at its discretion. If possible, you should speak from prepared remarks to the subject under discussion. Irrelevant comments use others' time and your own and detract from your statements on the matter being considered.

Meetings of the Council are formal proceedings, and all comments are recorded on tape and by stenographer. For that reason, you are requested not to speak from your seat or out of turn. When you are called by the presiding officer, please follow these steps:

- (1) Come forward to the speaker's podium.
- (2) State your name and address
- (3) State your conclusion and give facts and other data to back it up.
- (4) If you represent a group or organization, ask the others to rise and be recognized.
- (5) If you have a written statement, give it and other supportive material to the Clerk for the record.

The above guidelines are intended to encourage the greatest possible participation by citizens at Council meetings. They can be modified at any time by the Council at its discretion and without prior notice.

Thank you for taking your time to participate in the Council meeting. Good government depends on the interest and involvement of you and your fellow citizens. We invite you to return.

CALL TO ORDER/ROLL CALL

INVOCATION - Councilman Rhet Tignor

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

CONSENT AGENDA

Consent Items - First Reading

1. **06-0385** Request for refund of erroneous tax assessments - Old Point National Bank.
2. **06-0389** Citywide Aerial Photography – Pictometry Software and Digital Images
3. **06-0391** Appropriate \$155,000 from Fund Balance to purchase eleven (11) new vehicles for City Assessor's Office.
4. **06-0392** Request for refund of erroneous tax assessments for 2006
5. **06-0409** A resolution appropriating \$402,365 from fund balance for additional revenues realized from Parks and Recreation fees through June 30, 2006.
6. **06-0421** An Ordinance to Amend and Re-Enact Chapter 14 of the Code of the City of Hampton, Entitled, "FIRE PREVENTION AND PROTECTION", ARTICLE II, "FIRE PREVENTION CODE", SECTION 14-26 to Adopt the Current Statewide Fire Prevention Code and Selected Appendices.
7. **06-0422** Resolution authorizing the appropriation of \$266,000 from the General Fund undesignated fund balance to Non-departmental for Hampton's 2007 Celebration.

Consent Items - Other

- 8. 06-0390** Programming and Local Administration of Twelve (12) Projects in the VDOT 6-Year Plan:
- 1) Citywide Wayfinder Signs – Engineering Services Project 07-021
 - 2) Coliseum Central Transit Shelters – Engineering Services Project 07-015
 - 3) Big Bethel Road/Radford Drive Traffic Signal Installation – Engineering Services
Project 07-013
 - 4) Big Bethel Road/Todds Lane Intersection Improvements – Engineering Services
Project 07-014
 - 5) Coliseum Drive/Cunningham Drive Intersection Improvements – Engineering Services
Project 07-011
 - 6) Mercury Boulevard/Fox Hill Road Intersection Improvements – Engineering Services
Project 07-020
 - 7) Hampton Roads Center Parkway/Big Bethel Road Intersection Improvements – Engineering Services Project 07-012
 - 8) Citywide Automotive Vehicle Location (AVL) for Emergency Services Vehicles – Engineering Services Project 07-016
 - 9) Citywide Traffic Signal System Upgrade – Phase II – Engineering Services Project 07-019
 - 10) Citywide CCTV Camera Installations – Phase II – Engineering Services Project 07-017
 - 11) Citywide Traffic Signal System Retiming - Engineering Services Project 07-018
 - 12) Hampton Electric Automated Transit (HEAT) – Engineering Services Project 07-023
- 9. 06-0394** License Agreement between the City of Hampton, Virginia, 6 E. Mellen Associates, LLC and Little Bar Bistro, LLC.

10. **06-0395** Resolution Authorizing the City Manager to acquire easements for drainage, sanitary sewer and utilities from property owners for mutual benefits to permit the City to construct small neighborhood projects.
11. **06-0396** Vacation Agreement between the City of Hampton and Charles T. Campbell and Deanna D. Campbell and Robin W. Masters.
12. **06-0397** Vacation Agreement between the City of Hampton and Roger L. Doss and Jamlong Doss and David R. McCain
13. **06-0399** Approval of presentation of Distinguished Citizen Award to Dr. Turner M. Spencer on July 9, 2006.
14. **06-0400** Virginia Department of Emergency Management, Local Emergency Management Performance Grant 2006.
15. **06-0402** Resolution Setting the Term Lengths for Members of the Federal Area Development Authority.
16. **06-0407** Donation of 1997 Ford F-350 Ambulance to the Coast Guard Auxiliary, COMCEN, Inc., by the Hampton Division of Fire and Rescue
17. **06-0426** Armistead Avenue/Link Road Projects (Phase 1A and 1B)
18. **06-0427** Fox Hill Road/Woodland Road Intersection Improvements
Citywide CCTV Camera Installations
Mercury Boulevard/Martha Lee Drive Crosswalk and Pedestrian Signal Installation
19. **06-0406** Resolution authorizing the execution of an Ingress/Egress Public Access Easement and Maintenance Agreement and an Ingress/Egress Vehicular and Parking Easement and Maintenance Agreement with Tysinger Real Estate, LLC.
20. **06-0384** Approval of Minutes from the Afternoon and Evening Council Meetings of June 14, 2006, and from the Special Council Meetings of June 15, 2006, and July 1, 2006.

PRESENTATIONS, PROCLAMATIONS, AWARDS

21. **06-0405** Proclamation In Recognition of the 20th National Veterans Golden Age Games

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

PUBLIC HEARINGS**Rezoning - Second Reading**

22. **06-0330** Rezoning Application No.1227 by Robert L. Mallory to rezone 19.71+/- acres on the southern side of Semple Farm Road (LRSN# 5001246) from One Family Residence District (R-13) to One Family Residence District (R-11) with conditions for the construction of up to 23 single-family homes.

Rezoning - First Readings

23. **06-0408** Rezoning Application No. 1228-A by the City of Hampton to rezone residentially used and Hampton Redevelopment Housing Authority vacant properties within the Kecoughtan Road Corridor, beginning at the Newport News city line and ending at the Wythe Fire Station, and extending into the neighborhood an average of 250± feet on either side of the Kecoughtan Road right of way from Neighborhood Commercial District (C-1) to One-Family Residence District (R-11).

Conditional Privilege

24. **06-0410** Conditional Privilege Application No.84 by Lankford and Joyce Blair to operate a bed and breakfast at 232 South Armistead Avenue, commonly known as the Magnolia House.
25. **06-0416** Conditional Privilege Application No.85 by Calvary Assembly of God to operate a Day Care 3 at 1380 North Mallory Street.

GENERAL ITEMS**Ordinances**

26. **06-0411** Ordinance to Amend and Reenact Chapter 37, Article II, Division I of the Code of the City of Hampton entitled "Real Estate Taxes, Generally", by adding thereto a New Section 37-31 entitled "Surplus Proceeds Paid to the City from Delinquent Real Estate Tax Sales".
27. **06-0420** An Ordinance to Amend Chapter 21, Article IX of the Code of the City of Hampton Entitled, "OPERATION OF GOLF CARTS" by Adding Thereto a New Section 21-221 Entitled, "PUBLIC HIGHWAYS DESIGNATED FOR GOLF CART USE"

Resolutions

28. **06-0363** A Resolution Authorizing the Execution of An Agreement of Sale For the Purchase of Property known as Otley Road, consisting of 1.24 acres +/-, RPC No. 2002247, from Old Point Trust & Financial Services, NA, Executor of the Estate of Jarnice W. Chapman, deceased and Co-Trustee of the Jarnice W. Chapman Irrevocable Trust dated September 1, 2000 and Talmage D. Wade, Co-Trustee of the Jarnice W. Chapman Irrevocable Trust dated September 1, 2000.
29. **06-0386** Acquisition of property commonly known as 21 Barrack Street from Michael Letourneau and Linda E. Atkins.
30. **06-0428** Proposed acquisition of property, known as 605 & 607 Bassett Street, from James A. Crocker, Jr.

Appointments

31. **06-0401** consider an appointment to the Federal Area Development Authority
32. **06-0423** consider an appointment to the Mayor's Committee for People with Disabilities.
33. **06-0424** consider an appointment to the Board of Review of Real Estate Assessment.
34. **06-0425** consider an appointment to the board of Hampton Roads Transit.

AUDIENCES GRANTED TO THE GENERAL PUBLIC**MISCELLANEOUS NEW BUSINESS****ADJOURNMENT****Contact Info:**

Clerk of Council, 757-727-6315, council@hampton.gov